

Appln. No.: 09/586,869
Supplemental Amendment dated March 18, 2004
Supplemental Reply to Office Action of November 4, 2003

REMARKS/ARGUMENTS

Applicant acknowledges with appreciation the courtesies extended by the Examiner and his supervisor during the personal interview on March 1, 2004 with the undersigned.

Reconsideration and allowance of the instant application are respectfully requested. Claims 1-23 and 27-35 remain in this application. Claims 24-26 and 36-42 have been canceled without prejudice or disclaimer. New claims 43 and 44 have been added.

Applicant has amended the claims 1 and 27 to remove the field of use limitation that was not being given any patentable weight. Also, claim 12 has been amended to broaden the scope of protection.

Initially, applicant incorporates by reference the arguments presented from the first full paragraph of page 8 through page 13 set forth in the Amendment filed February 4, 2004.

As presented in the prior response, Geshwind lacks a teaching or suggestion of allocating an identifying tag to the at least one object as recited in claim 1. Somewhat similarly, independent claim 27 calls for, among other features, allocating an object identifier to an object. To allegedly show this step, the action relies on col. 3, lines 17-28 and the labels for backgrounds 31, 41, circles 32, 42 and squares 33, 43 in Fig. 1. While Geshwind states that a human identifies individual image elements, Geshwind lacks a teaching or suggestion of allocating an *object identifier* to the individual image elements. Nor does Geshwind suggest allocating an object identifier to an object as recited in claim 27. Indeed, labels 31, 41, 32, 42, and 33, 43 are merely reference numerals used in the patent specification to describe the process of Geshwind. Importantly, the labels are not part of Geshwind's process. For at least the aforementioned reasons, Geshwind does not provide a teaching or suggestion of every element of independent claims 1 and 27.

In addition, as argued previously the method of Geshwind does not produce a depth map as called for in claim 1 or encoding a depth map as called for in claim 27. Geshwind is merely shifting an individual object laterally and not producing or encoding a depth map as claimed. While Geshwind refers to depth position information at col. 4, lines 53-55, there is no explanation of what makes up such information and how it is actually determined other than a

Appl. No.: 09/586,869
Supplemental Amendment dated March 18, 2004
Supplemental Reply to Office Action of November 4, 2003

very general statement that it is determined by a combination of operator input and computer analysis. Namely, there is no teaching or suggestion that depth map is produced or encoded.

In rejecting claim 12, the action acknowledges that Geshwind does not teach or suggest the claim features recited therein. To overcome this deficiency, the action relies on Nourbakhsh et al. ("Nourbakhsh").

Applicant submits that one skilled in the art would not have combined the Geshwind and Nourbakhsh. Since Geshwind is only moving an object laterally, and only performs movement on each object separately, there is no need to represent one of objects relatively close to the viewer or objects relatively distant from the viewer as white and the other of objects relatively close to the viewer and objects relatively distant from the viewer as black as recited in claim 12. Thus, applicant submits that one skilled in the art would not have been motivated to combine Geshwind and Nourbakhsh.

New claims 43 and 44 are considered patentably distinct over the art of record. For example, none of the references alone or in combination teach or suggest the claim 43 invention of a method of converting 2D images into stereoscopic images applying a depth map generated according to the method of claim 1

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

Appl. No.: 09/586,869
Supplemental Amendment dated March 18, 2004
Supplemental Reply to Office Action of November 4, 2003

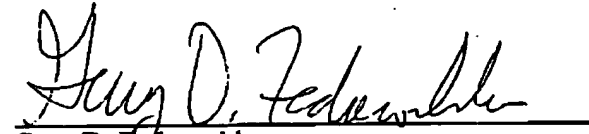
All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: March 18, 2004

By:


Gary D. Fedorochko
Registration No. 35,509

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001
GDF:lab